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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,098	10/28/2003	Joannes Raymond Mari Bekker	1206.02	6353

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Wendy K.B. Buskop
Buskop Law Group, P.C.
Suite 500
1717 St. James Place
Houston, TX 77056

EXAMINER

WRIGHT, ANDREW D

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/695,098

Applicant(s)

MARI BEKKER, JOANNES
RAYMOND

Examiner

Andrew Wright

Art Unit

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 and 18 is/are allowed.
- 6) ☒ Claim(s) 17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 1-16 and 18 are objected to because of the following informalities.
Appropriate correction is required.
2. Claim 1 recites "wherein the pod comprises a housing an electric motor contained within the housing". Either a semicolon or the word "and" should be added before the word "an". The same language appears in claim 18.
3. Claim 1 recites "at least one heading sensor". Claim 1 also recites other sensors. The other sensors are each recited as connected to the dynamic positioning computer, but the heading sensor is not. It is requested that applicant clarify if this is an intentional omission. The same language appears in claim 18.
4. Claims 2-16 recite "the system of claim 1". Claim 1 recites two systems in its preamble: a thruster system and a positioning control system. It is presumed that claims 2-16 include all of the limitations of claim 1, and not just those of one of the two systems. The wording should be changed to use consistent terminology.
5. Claim 9 recites "the drive". The only drive previously recited is an electric slewing drive. It is assumed that the recitation of claim 9 refers back to the electric slewing drive. Consistent terminology should be used.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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7. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 17 contains the recitation: "vessel comprising at least two thrusters as defined in claim 1." Claim 1 defines thrusters, diesel electric power units, a dynamic positioning computer, and various sensors. Claim 1 further recites in the preamble that a thruster system is integral with a dynamic positioning control system. It is unclear if claim 17 refers to just the azimuthing thrusters, or to the entire apparatus of claim 1. If claim 17 refers to just the thrusters, then it is unclear how much of claim 1 is integral with the thrusters due to the recitation in the preamble. If claim 17 refers to the entire apparatus of claim 1, then the language "at least two thrusters" in claim 17 is redundant because it is already recited in claim 1. For examination it will be assumed the claim 17 recites a waterborne vessel with entire apparatus of claim 1.

Allowable Subject Matter

9. Claims 1-16 and 18 are allowed.

10. Claim 17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

11. The following is an examiner's statement of reasons for allowance. Dynamic positioning (also called dynamic anchoring) system that employ thrusters and computers are known in the boat and floating platform art (see for example US Patent No. 6,453,838, column 4, lines 17-21, and figure 7). The prior art does not teach or suggest the claimed combination specifically including: a skid removably secured to the

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deck, an electric slewing drive, a slip ring assembly, the self-contained diesel electric power units removably secured to the deck (claim 1), the self-contained gas turbine power units removably secured to the deck (claim 18), the computer, and the various sensors.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Liden ('050) shows a platform with thrusters driven by diesel engine mounted in a deck box. Salmi et al. ('216) shows a thruster with a motor and generator. Robertson et al. ('636) shows an anchorless positioning system that utilizes a thruster, a computer, and GPS sensor. Ludwigson ('421) shows a platform with thrusters (17), each thruster having a diesel generator (19) in a deck extension (20). Begnaud et al. ('450) shows a platform with thrusters with diesel generators mounted within the hull. Dreith et al. ('936) shows a thruster with self-contained drive motor compartment. Mowell et al. ('838) shows a ship with a dynamic positioning system with thrusters, and disclose the use of computers and a reference system. Pinsof ('236) shows a thruster that is removably attached to the deck via skid plate.

13. Any inquiry concerning this communication should be directed to examiner Andrew D. Wright at telephone number (703) 308-6841. The examiner can normally be reached Monday-Friday from 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Joe Morano, can be reached at (703) 308-0230. The fax number for official communications is 703-872-9306. The fax number directly to the examiner for unofficial communications is 703-746-3548.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew D. Wright
Patent Examiner
Art Unit 3617

ANDREW D. WRIGHT
PRIMARY EXAMINER

[Handwritten signature] 7/20/04